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FM AMEMBASSY BOGOTA  
TO SECSTATE WASHDC 6189

UNCLAS BOGOTA 004486

SIPDIS

CA/VO/F/P FOR LAUREN C. SANTA

E.O. 12958: N/A

TAGS: [PHUM](#)

SUBJECT: BONA FIDE ASYLUM CLAIM EXEMPTION TO 9B

¶1. (SBU/N) Colombian national listed below applied for an immigrant visa at Embassy Bogota on 20-OCT-2008. However, on his last trip to the United States, the subject stayed over five years from Sep. 2002 until February 2008, even though he was only authorized to stay for six months. During the period the subject was in the United States, they applied for and were denied asylum.

¶2. (SBU/N) Post requests that DHS Headquarters Office of Asylum determine the bona fides of the Medina family,s asylum application for purposes of the bona fide asylum claim exception to inadmissibility under INA 212(a)(9)(B).

¶3. (SBU/N) A summary of the Medina family,s case follows:

The alien,s complete name, date of birth, and A8 number:

Carlos Andres Perdomo Perea, 24 Sep 1975, A95225020

When and where the aliens lived in the United States:

1490 Bellsmith Drive, Roswell, GA 30076 ) September 2002 to late February 2008

When and where the alien filed the asylum application: UNKNOWN

Whether the aliens worked in the United States, and whether INS had authorized such employment, and if so, what type of authorization documents the alien had been given:

Alien admits that he was employed as a chess instructor from October 2002 through August 2007. It is unclear whether he had employment authorization.

NICHOLS